

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

EDWARDS LIFESCIENCES AG and
EDWARDS LIFESCIENCES, LLC,

Plaintiffs,

VS.

COREVALVE, INC.,

Defendant,

C.A. No. 08-091-GMS

DECLARATION OF ROBRECHT LEOPOLD WILLEM MICHIELS
IN SUPPORT OF COREVALVE, INC.'S MOTION
TO TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(a)

I, Robrecht Leopold Willem Michiels, hereby declare as follows:

1. I am President and Chief Operating Officer of CoreValve Inc. based at 1 Jenner, Suite 100, Irvine, California. I have personal knowledge of the matters set forth herein and, if I am called upon to testify, I could and would testify competently thereto.

2. I have been President and Chief Operating Officer of CoreValve Inc. ("CoreValve") since September, 2004. CoreValve's business was founded in 2001 to develop a new kind of bioprosthetic heart valve. The heart valve system of which that heart valve forms part is the ReValving® System accused in this lawsuit.

3. Although CoreValve is incorporated in the State of Delaware, all of the company's operations are based at a single campus in Irvine, in Orange County, California. CoreValve has no offices, facilities, documents or employees in Delaware. CoreValve has its offices, laboratories, and manufacturing facility at the Irvine location and all of its employees are based there. CoreValve chose this location because, over the years, the Orange County area has developed as a nationally recognized center for the medical specialty device industry and has resident expertise and a specialized labor force trained and accustomed to the exacting and

detailed work involved in constructing medical devices such as Corevalve's heart valve.

4. The Plaintiff, Edwards LLC, is also based in Irvine. Edwards' and CoreValve's headquarters are within fifteen miles of Santa Ana, where the courthouse for the Southern Division of the United States District Court for the Central District of California is located.

5. CoreValve's design of the ReValving System began in Paris, France, and was then continued and completed in Irvine. CoreValve manufactures the ReValving System entirely at its Irvine facilities. CoreValve does not presently use, sell, offer for sale or distribute the ReValving System within the United States because the product has not yet received FDA approval. CoreValve is gathering data from clinical evaluations being conducted in Europe, Latin America and Canada and the ReValving System is shipped directly to those locations for use only in these clinical evaluations. CoreValve attends the worldwide Trans-Catheter Therapeutic conference (TCT) held every year in the fall in Washington, DC, which is attended by specialty physicians (primarily interventional cardiologists) from all over the world. The ReValving System has been exhibited at this conference but with prominent signage stating that it is not available in the United States.

6. At present the ReValving System is CoreValve's sole product. CoreValve would thus suffer significant hardship if it were enjoined from making the ReValving System here in the United States. In order to survive and conduct its business CoreValve would have to lay off most of its specialized workforce in Irvine of some 50 employees, and relocate outside of the United States.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this ~~31st~~ day of March, 2008 at Irvine, California,

By: _____

Rob Michiels

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2008, I caused to be served by electronic service and hand delivery the foregoing document and electronically filed the same with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Jack B. Blumenfeld
Morris, Nichols, Arsht & Tunnell, LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899

I hereby certify that on April 4, 2008, the foregoing document was sent via Federal Express to the following non-registered participants:

John E. Nathan
Michael Beck
Paul, Weiss, Rifkind, Wharton & Garrison, LLP
1285 Avenue of the Americas
New York, NY 10019



Chad M. Shandler (#3796)
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